

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

Unitil Corporation and Northern Utilities,	§	
Inc. d/b/a Unitil,	§	
<i>Plaintiffs,</i>	§	
	§	Civil Action No. 2:16-cv-00443-JAW
v.	§	
	§	
Utility Workers Union of America, Local	§	
341,	§	
<i>Defendant.</i>	§	

JOINT OBJECTION TO SCHEDULING ORDER

Plaintiffs Unitil Corporation and Northern Utilities, Inc. d/b/a Unitil and defendant Utility Workers Union of America, Local 341 hereby submit their joint objection to the Court's November 1, 2016 Scheduling Order, stating as follows:

1. Plaintiffs have filed an application/motion to partially vacate an arbitration award pursuant to Section 301 of the Labor Management Relations Act of 1947, 29 U.S.C. § 185. *See* Doc. 1. In response, defendant has filed a pleading seeking to confirm the award. *See* Doc. 8.

2. Applications to vacate or confirm arbitration awards follow the rules of motion practice. *See JCI Communications, Inc. v. International Brotherhood of Electrical Workers, Local 103*, 324 F.3d 42 (1st Cir. 2003). *See also Paper, Allied-Industrial, Chemical, and Energy Workers International Union, Local 1-9 AFL-CIO v. S.D. Warren Co.*, 2004 U.S. Dist. LEXIS 22807 *4 (D. Me. Nov. 10, 2004) ("it is not uncommon for motions to confirm arbitration awards to be resolved by dueling summary judgment motions").

3. Accordingly, the parties: (a) agree that discovery is not required and, accordingly, that the case may be placed on an administrative track to be resolved by dispositive

motions (either Rule 12(c) or Rule 56 motions); and (b) request that the Court so modify its Scheduling Order, and set a March 15, 2017 deadline for such motions.

Respectfully submitted,

UNITIL CORPORATION AND NORTHERN
UTILITIES, INC. D/B/A UNITIL

By Their Attorneys,
SULLOWAY & HOLLIS, P.L.L.C.

DATED: November 21, 2016

By: /s/ William D. Pandolph, Esq.

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UTILITY WORKERS UNION OF AMERICA,
LOCAL 341

By Its Attorneys,
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DATED: November 21, 2016

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